

110TH CONGRESS  
2D SESSION

# S. 3439

To provide for duty free treatment of certain recreational performance  
outerwear, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2008

Mr. SALAZAR (for himself, Mr. CRAPO, and Mr. WYDEN) introduced the  
following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide for duty free treatment of certain recreational  
performance outerwear, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recreational Perform-  
5 ance Outerwear Apparel Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The outdoor industry contributes  
9 \$730,000,000,000 to the United States economy an-  
10 nually.

1           (2) Outdoor activities are vitally important to  
2 the health and well-being of all Americans.

3           (3) Duty rates on performance apparel are  
4 among the highest imposed by the United States  
5 Government, with some as high as 28.2 percent.

6           (4) Average collected duties on recreational per-  
7 formance apparel totaled an estimated \$70,000,000  
8 during 2007.

9           (5) The duties currently imposed by the United  
10 States were set in an era during which high rates of  
11 duty were intended to protect United States produc-  
12 tion of other apparel, and before the technologies  
13 and innovations were developed to create today's  
14 performance apparel industry.

15           (6) The International Trade Commission (ITC)  
16 has confirmed in USITC Publication 3937 dated  
17 July 2007 that United States production of rec-  
18 reational performance apparel is less than one per-  
19 cent of the total Recreational Performance Outer-  
20 wear market and therefore concluded that there is  
21 no commercially viable United States production of  
22 recreational use performance apparel.

23           (7) The Committee for the Implementation of  
24 Textile Agreements (CITA) in 70 Fed. Reg. 210 (1  
25 November 2005) confirmed that imports of certain

1 recreational performance apparel do not contribute  
2 to domestic market disruption or adversely affect  
3 United States textile and apparel producers.

4 (8) There is no commercially viable production  
5 in the United States of recreational performance ap-  
6 parel as defined under this Act.

7 (9) The elimination of duties on the importation  
8 of certain recreational performance apparel would  
9 provide an economic benefit to United States con-  
10 sumers of outdoor products and would promote in-  
11 creased participation in healthy and active lifestyles.

12 **SEC. 3. KNIT APPAREL AND ACCESSORIES.**

13 (a) DEFINITIONS.—The Additional U.S. Note to  
14 Chapter 61 of the Harmonized Tariff Schedule of the  
15 United States is amended—

16 (1) by striking “Additional U.S. Note” and in-  
17 serting “Additional U.S. Notes”; and

18 (2) by adding at the end the following new  
19 notes:

20 “2. For purposes of this chapter, the term ‘rec-  
21 reational performance outerwear’ means pants (including,  
22 but not limited to, paddling pants, ski or snowboard pants,  
23 and ski or snowboard pants intended for sale as parts of  
24 ski suits), coveralls and bib overalls, and jackets (includ-  
25 ing, but not limited to, full zip jackets, paddling jackets,

1 ski jackets, and ski jackets intended for sale as parts of  
2 ski suits), windbreakers, and similar articles (including  
3 padded, sleeveless jackets), the outer surface of which is  
4 predominately composed of knit fabrics of cotton, wool,  
5 hemp, bamboo, silk, or manmade fiber, or a combination  
6 of such fibers, that are water-resistant, visibly coated, or  
7 any combination thereof, with critically sealed seams, with  
8 5 or more of the following options:

9           “(a) Insulation for cold weather protection.

10           “(b) Pockets, at least one of which has a  
11 zippered, hook and loop, or other type of closure.

12           “(c) Elastic, drawcord, or other means of tight-  
13 ening around the waist or leg hems, including hid-  
14 den leg sleeves with a means of tightening at the  
15 ankle for pants and tightening around the waist or  
16 bottom hem for jackets.

17           “(d) Venting.

18           “(e) Articulated elbows or knees.

19           “(f) Reinforcement in one of the following  
20 areas: the elbows, shoulders, seat, knees, or ankles  
21 or cuffs.

22           “(g) Weatherproof closure at the waist or front.

23           “(h) Multi-adjustable hood or collar.

24           “(i) Adjustable powder, inner protective skirt,  
25 or adjustable inner protective cuff at sleeve hem.

1           “(j) Construction at the arm gusset that utilizes  
2 fabric, design, or patterning to ensure radial arm  
3 movement.

4           “(k) Odor control technology.

5 The term ‘recreational performance outerwear’ does not  
6 include occupational outerwear.

7           “3. For purposes of Additional U.S. Note 2, the fol-  
8 lowing terms have the following meanings:

9           “(a) The term ‘absorption’ means the process  
10 of gases or liquids being taken up into the pores of  
11 textile fibers, yarns, fabrics, or any other material.

12           “(b) The terms ‘adjustable powder’ and ‘inner  
13 protective skirt’ refer to a partial lower inner lining  
14 with means of tightening around the waist for addi-  
15 tional protection from the elements.

16           “(c) The term ‘adsorption’ means the attraction  
17 of gases, liquids, or solids to surface areas of textile  
18 fibers, yarns, fabrics, or any other material.

19           “(d) The term ‘articulated elbows or knees’ re-  
20 fers to the construction of a sleeve (or pant leg) to  
21 allow improved mobility at the elbow (or knee)  
22 through the use of extra seams, darts, gussets, or  
23 other means.

24           “(e) The term ‘critically sealed seams’ means—

1           “(i) for jackets, sealed seams that are  
2           sealed at the shoulders, or arm holes, or both,  
3           and at any front and back yokes, and

4           “(ii) for pants, sealed seams that are  
5           sealed at the front (up to the zipper or other  
6           means of closure) and back rise.

7           “(f) The term ‘insulation for cold weather pro-  
8           tection’ means insulation with either synthetic fill,  
9           down, a laminated thermal backing, or other lining  
10          for thermal protection from cold weather.

11          “(g) The term ‘multi-adjustable hood or adjust-  
12          able collar’ means a draw cord, adjustment tab, or  
13          elastic incorporated into the hood or collar construc-  
14          tion to allow volume adjustments around the crown  
15          of the head or neck.

16          “(h) The term ‘odor control technology’ means  
17          a technology in a fabric or garment capable of ad-  
18          sorbing, absorbing, or changing the chemical source  
19          of human odors, including the use of activated car-  
20          bon, silver, copper, or any combination thereof.

21          “(i) The term ‘occupational outerwear’ means  
22          outerwear garments intended for use in the work-  
23          place or as uniforms. Such garments are designed  
24          for, and normally worn by workers that include, but  
25          are not limited to, military, law enforcement, fire,

1 rescue, emergency, industrial, residential, safety,  
2 healthcare, and government workers (excluding rec-  
3 reational workers) and provide durable protection  
4 from cold or inclement weather, as well as safety  
5 from workplace hazards, such as, fire, electrical, ab-  
6 rasion, chemicals, impacts, cuts, punctures, or simi-  
7 lar hazards.

8 “(j) The term ‘radial arm movement’ refers to  
9 the ability for unrestricted, 180-degree range of mo-  
10 tion for the arm while wearing a performance outer-  
11 wear jacket.

12 “(k) The term ‘reinforcement’ refers to the use  
13 of a double layer of fabric or application of fabric  
14 that is abrasion-resistant, heavier, or more durable  
15 than the predominant or face fabric of the garment.

16 “(l) The term ‘sealed seam’ means a seam that  
17 has been covered by means of taping, gluing, bond-  
18 ing, cementing, fusing, welding, or a similar process  
19 so that water cannot pass through it when tested in  
20 accordance with AATCC Test Method 35–1985.

21 “(m) The term ‘technical fabrics’ means textile  
22 products that have special functionality such as  
23 those used in industrial, aerospace, military, marine,  
24 outdoor, medical, construction, geotextile, transpor-  
25 tation, and high technology applications.

1           “(n) The term ‘venting’ refers to closeable or  
2 permanent constructed openings in a garment (ex-  
3 cluding front, primary zipper closures) to allow in-  
4 creased expulsion of built-up heat during outdoor ac-  
5 tivities. In a jacket, the openings are often posi-  
6 tioned on the underarm seam of a garment but may  
7 also be placed along other seams in the front or back  
8 of a garment. In pants, the openings are often posi-  
9 tioned on the inner or outer leg seams of a garment  
10 but may also be placed along other seams in the  
11 front or back of a garment.

12           “(o) The term ‘visibly coated’ refers to fabric  
13 that is impregnated, coated, covered, or laminated  
14 with plastics.

15           “(p) The term ‘water resistant’ means that a  
16 garment must have a water resistance (see ASTM  
17 designations D 3600–81 and D 3781–79) such that,  
18 under a head pressure of 600 millimeters, not more  
19 than 1.0 gram of water penetrates after two minutes  
20 when tested in accordance with AATCC Test Meth-  
21 od 35–1985. This water resistance is the result of  
22 a rubber or plastics application to the outer shell,  
23 lining, or inner lining.

24           “(q) The term ‘weatherproof closure’ means a  
25 closure (including, but not limited to, laminated or

1 coated zippers, storm flaps, or other weatherproof  
2 construction) that has been reinforced or engineered  
3 in a manner to reduce the penetration or absorption  
4 of moisture, air, and inclement weather through an  
5 opening in the garment.

6 “4. For purposes of this chapter, goods meeting the  
7 definition of ‘recreational performance outerwear’ shall be  
8 classified under the subheading which provides for ‘rec-  
9 reational performance outerwear’ regardless of whether it  
10 may also be classified under other provisions of this  
11 Schedule.

12 “5. For purposes of this chapter, goods claimed as  
13 ‘recreational performance outerwear’ shall identify on  
14 entry of the goods whether the outer surface is water-re-  
15 sistant, visibly-coated, or a combination thereof, plus the  
16 specific features that make the goods eligible for entry as  
17 recreational performance outerwear.”.

18 (b) TARIFF CLASSIFICATIONS.—Chapter 61 of the  
19 Harmonized Tariff Schedule of the United States is  
20 amended as follows:

21 (1) By striking subheading 6101.20.00 and in-  
22 sserting the following, with the article description for  
23 subheading 6101.20 having the same degree of in-  
24 dentation as the article description for subheading  
25 6101.30:

6101.20	Of cotton:			
6101.20.05	Recreational performance outerwear .....	Free		50%
6101.20.10	Other .....	15.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)	50%

1 (2) By striking subheading 6102.10.00 and in-  
 2 sserting the following, with the article description for  
 3 subheading 6012.10 having the same degree of in-  
 4 dentation as the article description for subheading  
 5 6102.30:

6102.10	Of wool or fine animal hair:			
6102.10.05	Recreational performance outerwear .....	Free		68.3¢kg + 54.5%
6102.10.10	Other .....	55.9¢kg + 16.4%	Free (BH, CA, CL, IL, JO, MX, P, SG) 17.1¢kg + 5% (MA) 15.5% (AU)	68.3¢kg + 54.5%

6 (3) By striking subheading 6201.20.00 and in-  
 7 sserting the following, with the article description for  
 8 subheading 6102.10 having the same degree of in-  
 9 dentation as the article description for subheading  
 10 6102.30:

6102.20	Of cotton:			
6102.20.05	Recreational performance outerwear .....	Free		50%
6102.20.10	Other .....	15.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)	50%

11 (4) By striking subheading 6104.61.00 and in-  
 12 sserting the following, with the article description for  
 13 subheading 6104.61 having the same degree of in-  
 14 dentation as the article description for subheading  
 15 6104.59:

6104.61	Trousers, bib and brace overalls, breeches and shorts:				
6104.61.05	Recreational performance outerwear .....	Free			54.5%
6104.61.10	Of wool or fine animal hair	14.9%	Free (BH, CA, CL, IL, JO, MX, P, SG)	4.5% (MA)	
			13.4% (AU)		54.5%

1 (5) By striking subheading 6114.20.00 and in-  
 2 sserting the following, with the article description for  
 3 subheading 6114.20 having the same degree of in-  
 4 dentation as the article description for subheading  
 5 6114.30:

6114.20	Of cotton:				
6114.20.05	Recreational performance outerwear .....	Free			90%
6114.20.10	Other .....	10.8%	Free (BH, CA, CL, IL, JO, MX, P, SG)	3.2% (MA)	
			9.7% (AU)		90%

6 (c) ADDITIONAL TARIFF CLASSIFICATIONS.—Chap-  
 7 ter 61 of the Harmonized Tariff Schedule of the United  
 8 States is further amended as follows:

9 (1) By inserting in numerical sequence the fol-  
 10 lowing new subheading, with the article description  
 11 having the same degree of indentation as the article  
 12 description for subheading 6101.30.10:

6101.30.05	Recreational performance outerwear	Free			35%
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13 (2) By inserting in numerical sequence the fol-  
 14 lowing new subheading, with the article description  
 15 having the same degree of indentation as the article  
 16 description for subheading 6101.90.05:

6101.90.01	Recreational performance outerwear	Free			45%
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1 (3) By inserting in numerical sequence the fol-  
 2 lowing new subheading, with the article description  
 3 having the same degree of indentation as the article  
 4 description for subheading 6102.30.05:

“ | 6102.30.01 | Recreational performance outerwear | Free | | 35% | ”.

5 (4) By inserting in numerical sequence the fol-  
 6 lowing new subheading, with the article description  
 7 having the same degree of indentation as the article  
 8 description for subheading 6102.90.10:

“ | 6102.90.05 | Recreational performance outerwear | Free | | 45% | ”.

9 (5) By inserting in numerical sequence the fol-  
 10 lowing new subheading, with the article description  
 11 having the same degree of indentation as the article  
 12 description for subheading 6103.41.10:

“ | 6103.41.05 | Recreational performance outerwear | Free | | 77.2¢/kg +  
 54.5% | ”.

13 (6) By inserting in numerical sequence the fol-  
 14 lowing new subheading, with the article description  
 15 having the same degree of indentation as the article  
 16 description for subheading 6103.42.10:

“ | 6103.42.05 | Recreational performance outerwear | Free | | 45% | ”.

17 (7) By inserting in numerical sequence the fol-  
 18 lowing new subheading, with the article description  
 19 having the same degree of indentation as the article  
 20 description for subheading 6103.43.10:

“ | 6103.43.05 | Recreational performance outerwear | Free | | 77.2¢/kg + 54.5% | ”.

1 (8) By inserting in numerical sequence the fol-  
 2 lowing new subheading, with the article description  
 3 having the same degree of indentation as the article  
 4 description for subheading 6103.49.10:

“ | 6103.49.05 | Recreational performance outerwear | Free | | 72% | ”.

5 (9) By inserting in numerical sequence the fol-  
 6 lowing new subheading, with the article description  
 7 having the same degree of indentation as the article  
 8 description for subheading 6104.62.10:

“ | 6104.62.05 | Recreational performance outerwear | Free | | 90% | ”.

9 (10) By inserting in numerical sequence the fol-  
 10 lowing new subheading, with the article description  
 11 having the same degree of indentation as the article  
 12 description for subheading 6104.63.10:

“ | 6104.63.05 | Recreational performance outerwear | Free | | 72% | ”.

13 (11) By inserting in numerical sequence the fol-  
 14 lowing new subheading, with the article description  
 15 having the same degree of indentation as the article  
 16 description for subheading 6104.69.05:

“ | 6104.69.05 | Recreational performance outerwear | Free | | 72% | ”.

17 (12) By inserting in numerical sequence the fol-  
 18 lowing new subheading, with the article description  
 19 having the same degree of indentation as the article  
 20 description for subheading 6112.20.10:

“ | 6112.20.05 | Recreational performance outerwear | Free | | 72% | ”.

1 (13) By inserting in numerical sequence the fol-  
 2 lowing new subheading, with the article description  
 3 having the same degree of indentation as the article  
 4 description for subheading 6113.00.10:

“ | 6113.00.05 | Recreational performance outerwear | Free | | 65% | ”.

5 (14) By inserting in numerical sequence the fol-  
 6 lowing new subheading, with the article description  
 7 having the same degree of indentation as the article  
 8 description for subheading 6114.30.20:

“ | 6114.30.25 | Recreational performance outerwear | Free | | 90% | ”.

9 (15) By inserting in numerical sequence the fol-  
 10 lowing new subheading, with the article description  
 11 having the same degree of indentation as the article  
 12 description for subheading 6114.90.05:

“ | 6114.90.01 | Recreational performance outerwear | Free | | 90% | ”.

13 **SEC. 4. APPAREL ARTICLES AND ACCESSORIES OF OTHER**  
 14 **MATERIALS.**

15 (a) NOTES.—The Additional U.S. Notes to chapter  
 16 62 of the Harmonized Tariff Schedule of the United  
 17 States is amended—

18 (1) in Additional U.S. Note 2, by striking “For  
 19 purposes of subheadings” and all that follows  
 20 through “6211.20.15” and inserting “For purposes  
 21 of this chapter”; and

1           (2) by adding at the end the following new  
2 notes:

3           “3. For purposes of this chapter, the term ‘rec-  
4 reational performance outerwear’ means pants (including,  
5 but not limited to, paddling pants, ski or snowboard pants,  
6 and ski or snowboard pants intended for sale as parts of  
7 ski suits), coveralls and bib overalls, and jackets (includ-  
8 ing, but not limited to, full zip jackets, paddling jackets,  
9 ski jackets, and ski jackets intended for sale as parts of  
10 ski suits), windbreakers, and similar articles (including  
11 padded, sleeveless jackets), the outer surface of which is  
12 predominately composed of woven fabrics of cotton, wool,  
13 hemp, bamboo, silk, or manmade fiber, or a combination  
14 of such fibers, that are water-resistant, visibly coated, or  
15 any combination thereof, with critically sealed seams, with  
16 5 or more of the following options:

17           “(a) Insulation for cold weather protection.

18           “(b) Pockets, at least one of which has a  
19 zippered, hook and loop, or other type of closure.

20           “(c) Elastic, drawcord, or other means of tight-  
21 ening around the waist or leg hems, including hid-  
22 den leg sleeves with a means of tightening at the  
23 ankle for pants and tightening around the waist or  
24 bottom hem for jackets.

25           “(d) Venting.

1           “(e) Articulated elbows or knees.

2           “(f) Reinforcement in one of the following  
3 areas: the elbows, shoulders, seat, knees, or ankles  
4 or cuffs.

5           “(g) Weatherproof closure at the waist or front.

6           “(h) Multi-adjustable hood or collar.

7           “(i) Adjustable powder, inner protective skirt,  
8 or adjustable inner protective cuff at sleeve hem.

9           “(j) Construction at the arm gusset that utilizes  
10 fabric, design, or patterning to ensure radial arm  
11 movement.

12           “(k) Odor control technology.

13 The term ‘recreational performance outerwear’ does not  
14 include occupational outerwear.

15           “4. For purposes of Additional U.S. Note 3, the fol-  
16 lowing terms have the following meanings:

17           “(a) The term ‘absorption’ means the process  
18 of gases or liquids being taken up into the pores of  
19 textile fibers, yarns, fabrics, or any other material.

20           “(b) The terms ‘adjustable powder’ and ‘inner  
21 protective skirt’ refer to a partial lower inner lining  
22 with means of tightening around the waist for addi-  
23 tional protection from the elements.

1           “(e) The term ‘adsorption’ means the attraction  
2 of gases, liquids, or solids to surface areas of textile  
3 fibers, yarns, fabrics, or any other material.

4           “(d) The term ‘articulated elbows or knees’ re-  
5 fers to the construction of a sleeve (or pant leg) to  
6 allow improved mobility at the elbow (or knee)  
7 through the use of extra seams, darts, gussets, or  
8 other means.

9           “(e) The term ‘critically sealed seams’ means—

10           “(i) for jackets, sealed seams that are  
11 sealed at the shoulders, or arm holes, or both,  
12 and at any front and back yokes, and

13           “(ii) for pants, sealed seams that are  
14 sealed at the front (up to the zipper or other  
15 means of closure) and back rise.

16           “(f) The term ‘insulation for cold weather pro-  
17 tection’ means insulation with either synthetic fill,  
18 down, a laminated thermal backing, or other lining  
19 for thermal protection from cold weather.

20           “(g) The term ‘multi-adjustable hood or adjust-  
21 able collar’ means a draw cord, adjustment tab, or  
22 elastic incorporated into the hood or collar construc-  
23 tion to allow volume adjustments around the crown  
24 of the head or neck.

1           “(h) The term ‘odor control technology’ means  
2 a technology in a fabric or garment capable of ad-  
3 sorbing, absorbing, or changing the chemical source  
4 of human odors, including the use of activated car-  
5 bon, silver, copper, or any combination thereof.

6           “(i) The term ‘occupational outerwear’ means  
7 outerwear garments intended for use in the work-  
8 place or as uniforms. Such garments are designed  
9 for, and normally worn by workers that include, but  
10 are not limited to, military, law enforcement, fire,  
11 rescue, emergency, industrial, residential, safety,  
12 healthcare, and government workers (excluding rec-  
13 reational workers) and provide durable protection  
14 from cold or inclement weather, as well as safety  
15 from workplace hazards, such as, fire, electrical, ab-  
16 rasion, chemicals, impacts, cuts, punctures, or simi-  
17 lar hazards.

18           “(j) The term ‘radial arm movement’ refers to  
19 the ability for unrestricted, 180 degree range of mo-  
20 tion for the arm while wearing a performance outer-  
21 wear jacket.

22           “(k) The term ‘reinforcement’ refers to the use  
23 of a double layer of fabric or application of fabric  
24 that is abrasion-resistant, heavier, or more durable  
25 than the predominant or face fabric of the garment.

1           “(l) The term ‘sealed seam’ means a seam that  
2           has been covered by means of taping, gluing, bond-  
3           ing, cementing, fusing, welding, or a similar process  
4           so that water cannot pass through it when tested in  
5           accordance with AATCC Test Method 35–1985.

6           “(m) The term ‘technical fabrics’ means textile  
7           products that have special functionality such as  
8           those used in industrial, aerospace, military, marine,  
9           outdoor, medical, construction, geotextile, transpor-  
10          tation, and high technology applications.

11          “(n) The term ‘venting’ refers to closeable or  
12          permanent constructed openings in a garment (ex-  
13          cluding front, primary zipper closures) to allow in-  
14          creased expulsion of built-up heat during outdoor ac-  
15          tivities. In a jacket, the openings are often posi-  
16          tioned on the underarm seam of a garment but may  
17          also be placed along other seams in the front or back  
18          of a garment. In pants, the openings are often posi-  
19          tioned on the inner or outer leg seams of a garment  
20          but may also be placed along other seams in the  
21          front or back of a garment.

22          “(o) The term ‘visibly coated’ refers to fabric  
23          that is impregnated, coated, covered, or laminated  
24          with plastics.

1           “(p) The term ‘weatherproof closure’ means a  
2           closure (including, but not limited to, laminated or  
3           coated zippers, storm flaps, or other weatherproof  
4           construction) that has been reinforced or engineered  
5           in a manner to reduce the penetration or absorption  
6           of moisture, air, and inclement weather through an  
7           opening in the garment.

8           “5. For purposes of this chapter, goods meeting the  
9           definition of ‘recreational performance outerwear’ shall be  
10          classified under the subheading which provides for ‘rec-  
11          reational performance outerwear’ regardless of whether it  
12          may also be classified under other provisions of this  
13          Schedule.

14          “6. For purposes of this chapter, goods claimed as  
15          ‘recreational performance outerwear’ shall identify on  
16          entry of the goods whether the outer surface is water-re-  
17          sistant, visibly-coated, or a combination thereof, plus the  
18          specific features that make the goods eligible for entry as  
19          recreational performance outerwear.”.

20          (b) TARIFF CLASSIFICATIONS.—Chapter 62 of the  
21          Harmonized Tariff Schedule of the United States is  
22          amended as follows:

23                  (1) By striking subheading 6201.11.00 and in-  
24                  serting the following, with the article description for  
25                  subheading 6201.11 having the same degree of in-

1           dentation as the article description for subheading  
 2           6201.12:

6201.11	Of wool or fine animal hair:			
6201.11.05	Recreational performance outerwear .....	Free		52.9¢/kg + 58.5%
6201.11.10	Other .....	41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, SG) 12.6¢/kg + 5% (MA) 15.5% (AU)	52.9¢/kg + 58.5%

3           (2) By striking subheading 6202.11.00 and in-  
 4           serting the following, with the article description for  
 5           subheading 6201.11 having the same degree of in-  
 6           dentation as the article description for subheading  
 7           6202.12:

6202.11	Of wool or fine animal hair:			
6202.11.05	Recreational performance outerwear .....	Free		46.3¢/kg + 58.5%
6202.11.10	Other .....	41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, SG) 12.6¢/kg + 5% (MA) 15.5% (AU)	46.3¢/kg + 58.5%

8           (3) By striking subheadings 6203.41 and  
 9           6203.41.05 and inserting the following, with the ar-  
 10          ticle description for subheading 6203.41.05 having  
 11          the same degree of indentation as the article descrip-  
 12          tion for subheading 6203.41.20:

6203.41	Of wool or fine animal hair:			
6203.41.05	Recreational performance outerwear .....	Free		52.9¢/kg + 58.5%
6203.41.10	Trousers, breeches, and shorts: Trousers, breeches, or shorts containing elas- tomeric fiber, water resist- ant, without beltloops, weighing more than 9 kg per dozen .....	7.6%	Free (BH, CA, CL, IL, JO, MX, P, SG) 2.2% (MA) 6.8% (AU)	52.9¢/kg + 58.5%

1 (4) By striking subheadings 6211.20 and  
 2 6211.20.04 and inserting the following, with the ar-  
 3 ticle description for subheading 6211.20.04 having  
 4 the same degree of indentation as the article descrip-  
 5 tion for subheading 6211.20.08:

6211.20	Ski-suits:				
6211.20.02	Recreational performance outerwear .....	Free		60%	
	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by weight; containing 10 percent or more by wright of down:				
6211.20.04	Anoraks (including ski- jackets), windbreakers and similar articles (in- cluding padded, sleeve- less jackets) imported as parts of suits .....	0.7%	Free (AU, BH, CA, CL, E*, IL, JO, MX, P, SG) 0.3% (MA)	60%	

6 (5) By striking subheading 6211.32.00 and in-  
 7 serting the following, with the article description for  
 8 subheading 6211.32 having the same degree of in-  
 9 dentation as the article description for subheading  
 10 6211.32.00 (as in effect on the day before the date  
 11 of the enactment of this Act):

6211.32	Of cotton:				
6211.32.05	Recreational performance outerwear .....	Free			90%
6211.32.10	Other .....	8.1%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) 2.4% (MA)		90%

1 (6) By striking subheading 6211.33.00 and in-  
 2 sserting the following, with the article description for  
 3 subheading 6211.33 having the same degree of in-  
 4 dentation as the article description for subheading  
 5 6211.33.00 (as in effect on the day before the date  
 6 of the enactment of this Act):

6211.33	Of man-made fibers:				
6211.33.05	Recreational performance outerwear .....	Free			76%
6211.33.10	Other .....	16%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) See 9912.62.99- 9912.63.00 (MA)		76%

7 (7) By striking subheadings 6211.39 and  
 8 6211.39.05 and inserting the following, with the ar-  
 9 ticle description for subheading 6211.39 having the  
 10 same degree of indentation as the article description  
 11 for subheading 6211.39 (as in effect on the day be-  
 12 fore the date of the enactment of this Act):

6211.39	Of other textile materials:				
6211.39.04	Recreational performance outerwear .....	Free			
6211.39.08	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) 3.7% (MA)		58.5%

13 (8) By striking subheading 6211.41.00 and in-  
 14 sserting the following, with the article description for

1 subheading 6211.41 having the same degree of in-  
 2 dentation as the article description for subheading  
 3 6211.41.00 (as in effect on the day before the date  
 4 of the enactment of this Act):

6211.41	Of wool or fine animal hair:			
6211.41.05	Recreational performance outerwear .....	Free		58.5%
6211.41.10	Other .....	12%	Free (BH, CA, CL, IL, JO, MX, P, SG) 3.7% (MA) 10.8% (AU)	58.5%

5 (9) By striking subheading 6211.42.00 and in-  
 6 serting the following, with the article description for  
 7 subheading 6211.42 having the same degree of in-  
 8 dentation as the article description for subheading  
 9 6211.42.00 (as in effect on the day before the date  
 10 of the enactment of this Act):

6211.42	Of cotton:			
6211.42.05	Recreational performance outerwear .....	Free		90%
6211.42.10	Other .....	8.1%	Free (BH, CA, CL, IL, JO, MX, P, SG) 7.2% (AU) See 9912.63.01- 9912.63.02 (MA)	90%

11 (10) By striking subheading 6211.43.00 and in-  
 12 serting the following, with the article description for  
 13 subheading 6211.43 having the same degree of in-  
 14 dentation as the article description for subheading  
 15 6211.43.00 (as in effect on the day before the date  
 16 of the enactment of this Act):

6211.43	Of man-made fibers:			
6211.43.05	Recreational performance outerwear .....	Free		90%

6211.43.10	Other .....	16%	Free (BH, CA, CL, IL, JO, MX, P, SG) 4.8% (MA) 15.5% (AU)	90%	”.
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1 (c) ADDITIONAL CLASSIFICATIONS.—Chapter 62 of  
 2 the Harmonized Tariff Schedule of the United States is  
 3 further amended as follows:

4 (1) By inserting in numerical sequence the fol-  
 5 lowing new subheading, with the article description  
 6 having the same degree of indentation as the article  
 7 description for subheading 6201.12.10:

“ | 6201.12.05 | Recreational performance outerwear | Free | | 60% | ”.

8 (2) By inserting in numerical sequence the fol-  
 9 lowing new subheading, with the article description  
 10 having the same degree of indentation as the article  
 11 description for subheading 6201.13.10:

“ | 6201.13.05 | Recreational performance outerwear | Free | | 60% | ”.

12 (3) By inserting in numerical sequence the fol-  
 13 lowing new subheading, with the article description  
 14 having the same degree of indentation as the article  
 15 description for subheading 6201.19.10:

“ | 6201.19.05 | Recreational performance outerwear | Free | | 35% | ”.

16 (4) By inserting in numerical sequence the fol-  
 17 lowing new subheading, with the article description  
 18 having the same degree of indentation as the article  
 19 description for subheading 6201.91.10:

“ | 6201.91.05 | Recreational performance outerwear | Free | | 58.5% | ”.

1 (5) By inserting in numerical sequence the fol-  
 2 lowing new subheading, with the article description  
 3 having the same degree of indentation as the article  
 4 description for subheading 6201.92.10:

“ | 6201.92.05 | Recreational performance outerwear | Free | | 60% | ”.

5 (6) By inserting in numerical sequence the fol-  
 6 lowing new subheading, with the article description  
 7 having the same degree of indentation as the article  
 8 description for subheading 6201.93.10:

“ | 6201.93.05 | Recreational performance outerwear | Free | | 60% | ”.

9 (7) By inserting in numerical sequence the fol-  
 10 lowing new subheading, with the article description  
 11 having the same degree of indentation as the article  
 12 description for subheading 6201.99.10:

“ | 6201.99.05 | Recreational performance outerwear | Free | | 35% | ”.

13 (8) By inserting in numerical sequence the fol-  
 14 lowing new subheading, with the article description  
 15 having the same degree of indentation as the article  
 16 description for subheading 6202.12.10:

“ | 6202.12.05 | Recreational performance outerwear | Free | | 60% | ”.

17 (9) By inserting in numerical sequence the fol-  
 18 lowing new subheading, with the article description  
 19 having the same degree of indentation as the article  
 20 description for subheading 6202.13.10:

“ | 6202.13.05 | Recreational performance outerwear | Free | | 60% | ”.

1           (10) By inserting in numerical sequence the fol-  
 2           lowing new subheading, with the article description  
 3           having the same degree of indentation as the article  
 4           description for subheading 6202.19.10:

“ | 6202.19.05 | Recreational performance outerwear | Free | | 35% | ”.

5           (11) By inserting in numerical sequence the fol-  
 6           lowing new subheading, with the article description  
 7           having the same degree of indentation as the article  
 8           description for subheading 6202.91.10:

“ | 6202.91.05 | Recreational performance outerwear | Free | | 58.5% | ”.

9           (12) By inserting in numerical sequence the fol-  
 10          lowing new subheading, with the article description  
 11          having the same degree of indentation as the article  
 12          description for subheading 6202.92.10:

“ | 6202.92.05 | Recreational performance outerwear | Free | | 60% | ”.

13          (13) By inserting in numerical sequence the fol-  
 14          lowing new subheading, with the article description  
 15          having the same degree of indentation as the article  
 16          description for subheading 6202.93.10:

“ | 6202.93.05 | Recreational performance outerwear | Free | | 60% | ”.

17          (14) By inserting in numerical sequence the fol-  
 18          lowing new subheading, with the article description  
 19          having the same degree of indentation as the article  
 20          description for subheading 6202.99.10:

“ | 6202.99.05 | Recreational performance outerwear | Free | | 35% | ”.

1           (15) By inserting in numerical sequence the fol-  
 2           lowing new subheading, with the article description  
 3           having the same degree of indentation as the article  
 4           description for subheading 6203.42.10:

“ | 6203.42.05 | Recreational performance outerwear | Free | | 60% | ”.

5           (16) By inserting in numerical sequence the fol-  
 6           lowing new subheading, with the article description  
 7           having the same degree of indentation as the article  
 8           description for subheading 6203.43.10:

“ | 6203.43.05 | Recreational performance outerwear | Free | | 60% | ”.

9           (17) By inserting in numerical sequence the fol-  
 10          lowing new subheading, with the article description  
 11          having the same degree of indentation as the article  
 12          description for subheading 6203.49.10:

“ | 6203.49.05 | Recreational performance outerwear | Free | | 76% | ”.

13          (18) By inserting in numerical sequence the fol-  
 14          lowing new subheading, with the article description  
 15          having the same degree of indentation as the article  
 16          description for subheading 6204.61.10:

“ | 6204.61.05 | Recreational performance outerwear | Free | | 58.5% | ”.

17          (19) By inserting in numerical sequence the fol-  
 18          lowing new subheading, with the article description  
 19          having the same degree of indentation as the article  
 20          description for subheading 6204.62.10:

“ | 6204.62.05 | Recreational performance outerwear | Free | | 60% | ”.

1           (20) By inserting in numerical sequence the fol-  
 2           lowing new subheading, with the article description  
 3           having the same degree of indentation as the article  
 4           description for subheading 6204.63.10:

“ | 6204.63.05 | Recreational performance outerwear | Free | | 60% | ”.

5           (21) By inserting in numerical sequence the fol-  
 6           lowing new subheading, with the article description  
 7           having the same degree of indentation as the article  
 8           description for subheading 6204.69.10:

“ | 6204.69.05 | Recreational performance outerwear | Free | | 76% | ”.

9           (22) By inserting in numerical sequence the fol-  
 10          lowing new subheading, with the article description  
 11          having the same degree of indentation as the article  
 12          description for subheading 6210.10.20:

“ | 6210.10.05 | Recreational performance outerwear | Free | | 26.5% | ”.

13          (23) By inserting in numerical sequence the fol-  
 14          lowing new subheading, with the article description  
 15          having the same degree of indentation as the article  
 16          description for subheading 6210.20.30:

“ | 6210.20.05 | Recreational performance outerwear | Free | | 65% | ”.

17          (24) By inserting in numerical sequence the fol-  
 18          lowing new subheading, with the article description  
 19          having the same degree of indentation as the article  
 20          description for subheading 6210.30.30:

“ | 6210.30.05 | Recreational performance outerwear | Free | | 65% | ”.

1           (25) By inserting in numerical sequence the fol-  
 2           lowing new subheading, with the article description  
 3           having the same degree of indentation as the article  
 4           description for subheading 6210.40.30:

“ | 6210.40.05 | Recreational performance outerwear | Free | | 65% | ”.

5           (26) By inserting in numerical sequence the fol-  
 6           lowing new subheading, with the article description  
 7           having the same degree of indentation as the article  
 8           description for subheading 6210.50.30:

“ | 6210.50.05 | Recreational performance outerwear | Free | | 65% | ”.

9           (27) By inserting in numerical sequence the fol-  
 10          lowing new subheading, with the article description  
 11          having the same degree of indentation as the article  
 12          description for subheading 6211.49.10:

“ | 6211.49.05 | Recreational performance outerwear | Free | | 35% | ”.

13 **SEC. 5. SUSTAINABLE TEXTILE AND APPAREL RESEARCH**  
 14 **FUND.**

15          (a) ESTABLISHMENT.—There is established in the  
 16 Treasury of the United States the Sustainable Textile and  
 17 Apparel Research Fund (in this section referred to as the  
 18 “STAR Fund”) for a period of 10 years beginning on the  
 19 date of the enactment of this Act.

20          (b) DEPOSITS.—There shall be deposited into the  
 21 STAR Fund amounts equal to the fees collected on rec-  
 22 reational performance outerwear under subsection (d).

1           (c) BOARD OF DIRECTORS.—The STAR Fund shall  
2 be administered by a board of directors (in this section  
3 referred to as the “Board”) composed of the following  
4 members:

5           (1) The Secretary of Commerce.

6           (2) Four individuals, familiar with the perform-  
7 ance textile industry, including the production of  
8 raw materials and the finished products thereof, who  
9 shall be appointed by the President. At least three  
10 such members shall be representatives of entities  
11 that pay the fees imposed upon the importation of  
12 recreational performance outerwear under subsection  
13 (d).

14           (d) FUNDING.—

15           (1) FEE.—In addition to any other fee author-  
16 ized by law, the Secretary of the Treasury shall  
17 charge and collect upon entry for consumption, or  
18 withdrawal for consumption, a fee of 1.5 percent of  
19 the appraised value of imported goods (as deter-  
20 mined under section 402 of the Tariff Act of 1930;  
21 19 U.S.C. 1401a) that are classifiable under the  
22 Harmonized Tariff Schedule of the United States as  
23 recreational performance outerwear as defined in  
24 U.S. Note 2 to chapter 61 and U.S. Note 3 to chap-

1 ter 62 of the Harmonized Tariff Schedule of the  
2 United States.

3 (2) EXCLUSIONS.—The assessment of fees  
4 under paragraph (1) shall not apply to imports of  
5 recreational performance outerwear from the fol-  
6 lowing:

7 (A) Any country that is party to a free  
8 trade agreement with the United States that is  
9 in effect on the date of the enactment of this  
10 Act, or that enters into force under the Bipar-  
11 tisan Trade Promotion Authority Act of 2002  
12 (19 U.S.C. 3801 et seq.), or similar subsequent  
13 authority.

14 (B) Any country designated as a CBTPA  
15 beneficiary country under section 213(b)(5)(B)  
16 of the Caribbean Basin Economic Recovery Act  
17 (19 U.S.C. 2703(b)(5)(B)).

18 (C) Any country designated as a bene-  
19 ficiary sub-Saharan African country under sec-  
20 tion 506A(a)(1) of the Trade Act of 1974 (19  
21 U.S.C. 2466a(a)(1)), if the President has deter-  
22 mined that the country has satisfied the re-  
23 quirements of section 113 of the African  
24 Growth and Opportunity Act (19 U.S.C. 3722),

1 and has published that determination in the  
2 Federal Register.

3 (D) Any country designated as an  
4 ATPDEA beneficiary country under section  
5 204(b)(6)(B) of the Andean Trade Preference  
6 Act (19 U.S.C. 3203(b)(6)(B)).

7 (3) TERMINATION.—The fee under paragraph  
8 (1) shall apply only to entries, or withdrawals from  
9 warehouse for consumption, that are made during  
10 the 10-year period described in subsection (a).

11 (e) DISTRIBUTION.—

12 (1) QUARTERLY DISTRIBUTIONS.—The Sec-  
13 retary of Commerce, upon a majority vote of the  
14 Board, taken annually, shall, not later than 60 days  
15 after the end of each calendar quarter, distribute  
16 amounts in the STAR Fund to one or more entities  
17 that the Board considers appropriate to use the  
18 funds in accordance with subsection (f).

19 (2) ELIGIBILITY REQUIREMENTS.—An entity  
20 may receive funds under paragraph (1) only if the  
21 entity—

22 (A) is an organization described in section  
23 501(c)(6) of the Internal Revenue Code of 1986  
24 that is exempt from tax under section 501(a) of  
25 such Code;

1 (B) is an organization having at least 10  
2 years of experience providing applied research,  
3 technology development, and education to all  
4 parts of the textile and apparel supply chain,  
5 with a research capability demonstrated  
6 through past research programs involving sup-  
7 ply chain management, product development, fit  
8 specifications, operations management, lean  
9 manufacturing, and digital supply chain tech-  
10 nologies on behalf of the sewn products indus-  
11 try in the United States; and

12 (C) is comprised of members representing  
13 the following segments of the supply chain:

14 (i) One or more of the following types  
15 of producers: fiber, yarn, or fabric pro-  
16 ducers in the United States.

17 (ii) Apparel producers in the United  
18 States.

19 (iii) Retail companies in the United  
20 States.

21 (f) USE OF FUNDS.—Funds distributed under sub-  
22 section (e) may only be used to conduct applied research,  
23 development, and education activities to enhance the com-  
24 petitiveness of businesses in the United States in clean,

1 eco-friendly apparel, other textile and apparel articles, and  
2 sewn-product design and manufacturing.

3 (g) REQUIREMENTS.—The Secretary of Commerce  
4 may impose such requirements on the use of funds distrib-  
5 uted under subsection (e) as the Secretary considers nec-  
6 essary to ensure compliance with subsection (f), including  
7 requiring reporting and assurances by the entities using  
8 the funds.

9 (h) REPORTS TO CONGRESS.—The Secretary of Com-  
10 merce shall submit to the Congress a report, not later than  
11 April 1 of each year, explaining in detail how amounts in  
12 the STAR Fund were distributed under subsection (e) and  
13 used under subsection (f) during the preceding calendar  
14 year.

15 **SEC. 6. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act apply  
17 to goods entered, or withdrawn from warehouse for con-  
18 sumption, on or after the 15th day after the date of the  
19 enactment of this Act.

○